

Barbara Marlett

From: Craig E. Miller
Sent: Friday, June 3, 2016 12:15 PM
To: 'jduncan@taser.com'
Cc: Craig Carter; Lisa Rodelo
Subject: Signed zero dollar quotation
Attachments: Body2 Zero Dollar Quotation signedr.pdf

Jessica,

See attached signed quote. Let me know if there is anything else you need from me!

Thank you for this opportunity for us to swap out our cameras, and I am glad we could help you fulfill your order for the Body1 cameras.

I will be on vacation from July 7-13, but otherwise I will be available to facilitate whatever shipping/return procedures.

Regards,
Sgt. Craig Miller
Escondido Police Department
1163 N. Centre City Pkwy
Escondido, CA 92026

TASER International

Protect Life. Protect Truth.

17800 N 85th St.
Scottsdale, Arizona 85255
United States
Phone: (800) 978-2737
Fax: (480) 991-0791

Craig Miller

cmiller@escondido.org



Quotation

Quote: Q-70482-1
Date: 5/27/2016 11:48 AM
Quote Expiration: 6/15/2016
Effective Date*: 6/15/2016
Contract Number: 00005879
Contract Expiration Date: 7/14/2019
AX Account Number: 106771

Ship To:
Craig Miller
Escondido Police Dept. - CA
1163 North Centre City Parkway
Escondido, CA 92026
US

Bill To:
Escondido Police Dept. - CA
1163 North Centre City Parkway
Escondido, CA 92026
US

SALESPERSON	PHONE	EMAIL	DELIVERY METHOD	PAYMENT METHOD
Ben Rubke	(415) 314-9573	brubke@taser.com	Fedex - Ground	Net 30

*These subscriptions have been prorated for the duration of the existing contract and will be up for renewal at the expiration date listed above.

Hardware

QTY	ITEM #	DESCRIPTION	UNIT PRICE	TOTAL BEFORE DISCOUNT	DISCOUNT (\$)	NET TOTAL
213	74001	AXON CAMERA ASSEMBLY, ONLINE, AXON BODY 2, BLK	USD 403.79	USD 86,007.27	USD 86,007.27	USD 0.00
213	74018	Z-BRACKET MOUNT, MENS, AXON BODY 2	USD 0.00	USD 0.00	USD 0.00	USD 0.00
213	74020	MAGNET MOUNT, FLEXIBLE, AXON BODY 2	USD 0.00	USD 0.00	USD 0.00	USD 0.00
5	73004	WALL CHARGER, USB SYNC CABLE, FLEX	USD 0.00	USD 0.00	USD 0.00	USD 0.00
72	74021	MAGNET MOUNT, THICK OUTERWEAR, AXON BODY 2	USD 0.00	USD 0.00	USD 0.00	USD 0.00
70	74022	SM POCKET MOUNT, 4", AXON BODY 2	USD 0.00	USD 0.00	USD 0.00	USD 0.00
70	74023	LG POCKET MOUNT, 6", AXON BODY 2	USD 0.00	USD 0.00	USD 0.00	USD 0.00
7	74010	AXON DOCK, 6 BAY, AXON BODY 2	USD 1,362.15	USD 9,535.05	USD 9,535.05	USD 0.00
Hardware Total Before Discounts:						USD 95,542.32
Hardware Discount:						USD 95,542.32
Hardware Net Amount Due:						USD 0.00

Subtotal	USD 0.00
Grand Total	USD 0.00

Axon Pre-order

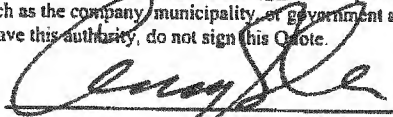
Thank you for your interest in Axon! This pre-order is a commitment to purchase Axon Body 2 and/or Axon Fleet. Axon Body 2 is available for delivery between 8-10 weeks after purchase date. Axon Fleet is available for delivery between August 1, 2016 and August 14, 2016. You will be notified if there are any delays. TASER reserves the right to make product changes without notice.

This quote is under the existing agreement. This represents the complimentary swap of new Body 2 cameras for the return of Body 1 and related hardware. The Body 1 cameras should be returned to TASER via RMA after the Body 2 arrive. Any applicable warranties will be transferred.

TASER International, Inc.'s Sales Terms and Conditions for Direct Sales to End User Purchasers

By signing this Quote, you are entering into a contract and you certify that you have read and agree to the provisions set forth in this Quote and TASER's Master Services and Purchasing Agreement posted at www.taser.com/legal. You represent that you are lawfully able to enter into contracts and if you are entering into this agreement for an entity, such as the company, municipality, or government agency you work for, you represent to TASER that you have legal authority to bind that entity. If you do not have this authority, do not sign this Quote.

Signature:



Date:

6/13/16

Name (Print):

CRAG CARTER

Title:

CHIEF OF POLICE

PO# (if needed):

Quote: Q-70482-1

Please sign and email to Ben Rubke at brubke@taser.com or fax to

THANK YOU FOR YOUR BUSINESS!

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© 2013 TASER International, Inc. All rights reserved.

Barbara Marlett

From: Craig Carter
Sent: Friday, June 3, 2016 12:01 PM
To: Lisa Rodelo
Subject: Fwd: TASER/Axon&Escondido_Swap Quote
Attachments: image001.png

Craig Carter, Police Chief
Escondido Police Department
1163 North Centre City Parkway
Escondido, Ca. 92026
760-839-4417

Begin forwarded message:

From: Sheryl Bennett <sbennett@escondido.org>
Date: June 3, 2016 at 11:44:44 AM PDT
To: Craig Carter <ccarter@escondido.org>, Graham Mitchell <gmitchell@escondido.org>
Cc: Jeffrey Epp <Jepp@escondido.org>, "Craig E. Miller" <cmiller@escondido.org>, Edid Molina <emolina@escondido.org>, Joan Ryan <jryan@escondido.org>
Subject: RE: TASER/Axon&Escondido_Swap Quote

All -

No issues from Finance re: zero dollar PO.

Thanks.

Sheryl Bennett
Director of Administrative Services
Human Resources & Finance
City of Escondido
760-839-4589



From: Craig Carter
Sent: Friday, June 03, 2016 11:38 AM
To: Graham Mitchell
Cc: Jeffrey Epp; Sheryl Bennett; Craig E. Miller
Subject: Re: TASER/Axon&Escondido_Swap Quote

* Approval from Dept. Heads

Kathryn Loarie

From: Craig Carter
Sent: Friday, June 03, 2016 12:01 PM
To: Lisa Rodelo
Subject: Fwd: TASER/Axon&Escondido_Swap Quote
Attachments: image001.png

Craig Carter, Police Chief
Escondido Police Department
1163 North Centre City Parkway
Escondido, Ca. 92026
760-839-4417

Begin forwarded message:

From: Sheryl Bennett <sbennett@escondido.org>
Date: June 3, 2016 at 11:44:44 AM PDT
To: Craig Carter <ccarter@escondido.org>, Graham Mitchell <gmitchell@escondido.org>
Cc: Jeffrey Epp <Jepp@escondido.org>, "Craig E. Miller" <cmiller@escondido.org>, Edid Molina <emolina@escondido.org>, Joan Ryan <jryan@escondido.org>
Subject: RE: TASER/Axon&Escondido_Swap Quote

All -

No issues from Finance re: zero dollar PO.

Thanks.

Sheryl Bennett
Director of Administrative Services
Human Resources & Finance
City of Escondido
760-839-4589



From: Craig Carter
Sent: Friday, June 03, 2016 11:38 AM
To: Graham Mitchell
Cc: Jeffrey Epp; Sheryl Bennett; Craig E. Miller
Subject: Re: TASER/Axon&Escondido_Swap Quote

Thanks all.

Craig Carter, Police Chief
Escondido Police Department
1163 North Centre City Parkway
Escondido, Ca. 92026
760-839-4417

On Jun 3, 2016, at 11:30 AM, Graham Mitchell <gmitchell@escondido.org> wrote:

Jeff,

Great solution. I agree with the zero dollar purchase option. If someone sees a technical reason that we should hit pause and explore, please let us know.

Graham


From: Jeffrey Epp
Sent: Friday, June 03, 2016 11:28 AM
To: Graham Mitchell; Sheryl Bennett
Cc: Craig Carter; Craig E. Miller
Subject: FW: TASER/Axon&Escondido_Swap Quote

Chief Carter contacted me last week with an unusual, but very nice opportunity for the City—To meet their own purposes, Taser wants to exchange all of our current body cams with brand new next generation body cams.

My thought is that there are two ways to handle this procedurally. First, we could draw up some type of unique “exchange agreement” with Taser that would accomplish this swap. The problem with that approach is that it takes time and back and forth. Apparently Taser wants to act quickly, because they want to use these older body cams somewhere else.

The other approach is to set this up as a purchase, although a zero dollar purchase. That’s what the above document provided by Taser accomplishes. The “problem” with this is that it isn’t really a purchase. That doesn’t seem like much of a “problem” to me. Arguably, our purchasing procedures don’t even apply since we aren’t purchasing, but rather, just exchanging. We’d probably do the same thing if we had a warranty issue with all the body cams and they agreed to take them back and give us new ones.

This approach looks fine to me as far as legal issues are concerned.

Jeffrey R. Epp
<City Attorney
City of Escondido
760-839-4608 (main)
760-839-4897 (direct)
jepp@escondido.org

Confidentiality Statement: This communication contains information that may be confidential, and it may also be legally privileged or otherwise exempt from required disclosure. If you are not the intended recipient, please do not read, distribute or copy this communication and please delete the message from your computer.

From: Craig E. Miller
Sent: Wednesday, June 01, 2016 4:09 PM
To: Craig Carter <ccarter@escondido.org>; Jeffrey Epp <Jepp@escondido.org>
Subject: FW: TASER/Axon&Escondido_Swap Quote

Here is the "zero dollar quote" that Taser sent regarding the swap for our current Body1 cameras to the Body2 cameras.

From: Jessica Duncan [<mailto:jduncan@taser.com>]
Sent: Tuesday, May 31, 2016 10:03 AM
To: Craig E. Miller
Cc: Ben Rubke
Subject: TASER/Axon&Escondido_Swap Quote

Hi Sgt. Miller,

I have attached the zero dollar quote for your review and signature.

Please return the signed quote to us by email. Once we process the paperwork I can follow up with an ETA on the shipping.

Warmest Regards,

Jessica Duncan
Director, Axon Account Management
Office (480) 515-6396 | Mobile (415) 595-1147

From: Office User <jduncan@taser.com>
Date: Thursday, May 26, 2016 at 12:24 PM
To: "Craig E. Miller" <cmiller@escondido.org>
Subject: Re: TASER/Axon&Escondido_Question on Body Camera

Thanks Sgt. I will draw up the zero dollar paperwork and sent it to you by early next week.

Warmest Regards,

Jessica Duncan
Director, Axon Account Management
Office (480) 515-6396 | Mobile (415) 595-1147

Register for our June [Axon User Conference](#)

From: "Craig E. Miller" <cmiller@escondido.org>
Date: Thursday, May 26, 2016 at 12:21 PM
To: Office User <jduncan@taser.com>
Subject: RE: TASER/Axon&Escondido_Question on Body Camera

OK, so I was counting our INACTIVE cameras before (oops!)

So for 213 cameras:

416 mounts

- ✍ 213 Magnet Mount, Flexible
- ✍ 73 Magnet Mount, Outdoor
- ✍ 70 Small Pocket Mount
- ✍ 70 Large Pocket Mount

Thanks again,
Craig

From: Jessica Duncan [<mailto:jduncan@taser.com>]
Sent: Thursday, May 26, 2016 12:01 PM
To: Craig E. Miller
Subject: Re: TASER/Axon&Escondido_Question on Body Camera

Hi Sgt. Miller,

Yes you can control in bulk under the Admin—> Camera Settings:
<image004.png>

Warmest Regards,

Jessica Duncan
Director, Axon Account Management
Office (480) 515-6396 | Mobile (415) 595-1147

Register for our June [Axon User Conference](#)

From: "Craig E. Miller" <cmiller@escondido.org>
Date: Thursday, May 26, 2016 at 11:54 AM
To: Office User <jduncan@taser.com>
Subject: RE: TASER/Axon&Escondido_Question on Body Camera

I forgot to ask one question: For now, we are going to be using the 480p setting on the Body2. Can they come preprogrammed at that setting, or is there a way to bulk change all the cameras to that setting?

Thanks!

From: Jessica Duncan [<mailto:jduncan@taser.com>]
Sent: Monday, May 23, 2016 9:48 AM
To: Craig E. Miller
Subject: Re: TASER/Axon&Escondido_Question on Body Camera

We would be willing to make the full swap. We could do all your Body 1 cameras (we could change the few flex too if you want) so you are on all the same platform. The Body 2 have a different dock bay so we would not want inconvenience you with having some Body 1 and some Body 2.

Have a safe flight. Free feel to call me when it is good for you and we can discuss. I know you are busy with the conference this week.

Warmest Regards,

Jessica Duncan

Director, Axon Account Management
Office (480) 515-6396 | Mobile (415) 595-1147

Register for our June [Axon User Conference](#)

From: "Craig E. Miller" <cmiller@escondido.org>
Date: Monday, May 23, 2016 at 9:45 AM
To: Office User <jduncan@taser.com>
Subject: Re: TASER/Axon&Escondido_Question on Body Camera

Jessica,

I am about to board a plane for Dallas, but I would love to talk to you about a swap later today. How many cameras are you looking to change out?

Sent from my iPhone

On May 23, 2016, at 9:39 AM, Jessica Duncan <jduncan@taser.com> wrote:

Hello Sgt. Miller,

I hope all is well! Good luck on your speaking engagement this week.

We are in the need to recover a few Body 1 cameras for an international customer. We saw this as a great opportunity to upgrade a few customers to our newer Body 2 in return for the Body 1. Since Escondido has been a valued client, we are offering a complimentary swap to Body 2 cameras. This will include the Body 2 camera, two mounts of your choice, and the dock bays (the cores can remain the same). We would ship you the Body 2 cameras and then once you complete the swap you would return the Body 1 to TASER through a prepaid FedEx shipping label.

Let me know if you are interested. I would generate a zero dollar quote with the mounts of your choice. Once you sign the zero dollar quote, we would process the order and provide you the estimate time of arrival.

I look forward to hearing from you.

Bests,

Jessica Duncan
Director, Axon Account Management
JDuncan@taser.com
Office (480) 515-6396
Mobile (415) 595-1147

[TASER](#) | [Axon](#)
Protect Life. Protect Truth.

Register for our June [Axon User Conference](#)

Barbara Marlett

From: Jessica Duncan <jduncan@taser.com>
Sent: Friday, June 3, 2016 1:04 PM
To: Craig E. Miller
Cc: Craig Carter; Lisa Rodelo; Ben Rubke
Subject: Re: Signed zero dollar quotation

Hi Sgt. Miller,

Thanks so much for the quote. We will process the order and follow up in a couple weeks with the estimate shipping timeline.

Warmest Regards,

Jessica Duncan
Director, Axon Account Management
Office (480) 515-6396 | Mobile (415) 595-1147

From: "Craig E. Miller" <cmiller@escondido.org>
Date: Friday, June 3, 2016 at 12:14 PM
To: Office User <jduncan@taser.com>
Cc: Craig Carter <ccarter@escondido.org>, Lisa Rodelo <lrodelo@escondido.org>
Subject: Signed zero dollar quotation

Jessica,

See attached signed quote. Let me know if there is anything else you need from me!

Thank you for this opportunity for us to swap out our cameras, and I am glad we could help you fulfill your order for the Body1 cameras.

I will be on vacation from July 7-13, but otherwise I will be available to facilitate whatever shipping/return procedures.

Regards,
Sgt. Craig Miller
Escondido Police Department
1163 N. Centre City Pkwy
Escondido, CA 92026

Barbara Marlett

From: Jessica Duncan <jduncan@taser.com>
Sent: Wednesday, June 22, 2016 9:36 AM
To: Craig E. Miller
Cc: Craig Carter; Lisa Rodelo; Ben Rubke
Subject: Re: Signed zero dollar quotation

Hi Sgt. Miller,

I wanted to drop you a quick line to let you know the Body 2 cameras have been shipped. They were shipped via FedEx and should arrive by end of day Thursday. The tracking is 0370474715319272 for your records.

If you need any assistance with the swap or new cameras, please do not hesitate to let us know. Once you are ready to ship back the original cameras, just let us know the number of boxes and we would be happy to provide you with prepaid shipping labels.

Thanks again for your help!

Warmest Regards,

Jessica Duncan
Director, Axon Account Management
Office (480) 515-6396 | Mobile (415) 595-1147

From: Office User <jduncan@taser.com>
Date: Friday, June 3, 2016 at 1:04 PM
To: "Craig E. Miller" <cmiller@escondido.org>
Cc: Craig Carter <ccarter@escondido.org>, Lisa Rodelo <lrodelo@escondido.org>, Ben Rubke <brubke@taser.com>
Subject: Re: Signed zero dollar quotation

Hi Sgt. Miller,

Thanks so much for the quote. We will process the order and follow up in a couple weeks with the estimate shipping timeline.

Warmest Regards,

Jessica Duncan
Director, Axon Account Management
Office (480) 515-6396 | Mobile (415) 595-1147

From: "Craig E. Miller" <cmiller@escondido.org>
Date: Friday, June 3, 2016 at 12:14 PM
To: Office User <jduncan@taser.com>
Cc: Craig Carter <ccarter@escondido.org>, Lisa Rodelo <lrodelo@escondido.org>
Subject: Signed zero dollar quotation

Jessica,

See attached signed quote. Let me know if there is anything else you need from me!

Thank you for this opportunity for us to swap out our cameras, and I am glad we could help you fulfill your order for the Body1 cameras.

I will be on vacation from July 7-13, but otherwise I will be available to facilitate whatever shipping/return procedures.

Regards,
Sgt. Craig Miller
Escondido Police Department
1163 N. Centre City Pkwy
Escondido, CA 92026

Christy Love

From: Daniel Hilderman
Sent: Tuesday, October 20, 2015 3:46 PM
To: Christy Love
Subject: RE: City of Escondido's PO35704

It's years 2 through 5 that was separated from their 5 year quote last year. They signed and paid for year 1 already. Year 2 started July 2015 and they are late on it... This is the renewal. It should be 4 years e.com

Sent from my Samsung S6 edge

----- Original message -----

From: Christy Love <clove@taser.com>
Date: 10/20/2015 3:30 PM (GMT-08:00)
To: Daniel Hilderman <dhilderman@taser.com>
Subject: FW: City of Escondido's PO35704

Hi Dan,

I closed this order in SF, but there's a note on their PO that I wanted to clarify with you.

This order is for only 4 years of e.com correct? On their PO they list that the "service is to begin 7/1/15 thru 6/30/17." Which makes me question if they only want 2 years? The quote references what is due net 30 under year 2, there is not a year 1 on the quote.

Can you take a look at this one?

Christy Love
Law Enforcement Sales Operations
TASER INTERNATIONAL, INC.

From: Daniel Hilderman
Sent: Monday, October 19, 2015 3:45 PM
To: Christy Love; Chris Kirby; Chad Kapler
Subject: Fwd: City of Escondido's PO35704

Hi Christy,

Please see attached signed quote and po for Escondido pd. This is a renewal. Thanks!

Thanks,
Dan

Sent from my Samsung S6 edge

----- Original message -----

From: "Vicki A. Capozza" <vcapozza@ci.escondido.ca.us>

Date: 10/19/2015 3:40 PM (GMT-08:00)

To: Daniel Hilderman <dhilderman@taser.com>

Subject: City of Escondido's PO35704

Hello Dan,

Attached is the City of Escondido's purchase order number 35704 including the terms and conditions and a copy of the quote.

Please reference PO 35704 on the packing slip and invoice so that A/P may expedite your payment.

Please confirm receipt of this PO.

If you have any questions, please call me.

Thank you.

Vicki Capozza

Buyer/Stores Supervisor

City of Escondido

475 N. Spruce St.

Escondido, CA 92025

Office: 760-839-4867

Fax: 760-291-1068

Email: vcapozza@ci.escondido.ca.us

TASER International

Protect Truth

17800 N 85th St.
Scottsdale, Arizona 85255
United States
Phone: (800) 978-2737
Fax:

Craig Miller
(760) 497-4820
cmiller@escondido.org



Quotation

Quote: Q-11998-2
Date: 5/1/2014 11:45 AM
Quote Expiration: 5/30/2014
Contract Start Date*: 6/1/2014
Contract Term: 1 year

Bill To: *use PO address*
Escondido Police- CA
1163 North Centre City Parkway
Escondido, CA 92026
US

Ship To:
Craig Miller
Escondido Police- CA
1163 North Centre City Parkway
Escondido, CA 92026
US

SALESPERSON	PHONE	EMAIL	DELIVERY METHOD	PAYMENT METHOD
Dan Hilderman		dhilderman@taser.com	Fedex - Ground	Net 30

*Note this will vary based on the shipment date of the product.

Year 1 -- Due Net 30

QTY	ITEM #	DESCRIPTION	UNIT PRICE	Total Before Discount	DISC (\$)	NET TOTAL
4	73030 --	KIT, AXON, FLEX	499.95	USD 1,999.80	USD 0.00	USD 1,999.80
201	73002 --	CAMERA SYSTEM, AXON BODY <i>~291.41</i>	299.00	USD 60,099.00	USD 1,524.90	USD 58,574.10 <i>201 ~291.41</i>
6	70026 --	EVIDENCE.COM, DOCK, SIX CAMERA BAYS +HUB	1495.00	USD 8,970.00	USD 3,522.00	USD 5,448.00
4	89101 --	PROFESSIONAL EVIDENCE.COM LICENSE: YEAR 1 PAYMENT	468.00	USD 1,872.00	USD 315.44	USD 1,556.56
120	87101 --	BASIC EVIDENCE.COM LICENSE: YEAR 1 PAYMENT	119.40	USD 14,328.00	USD 0.00	USD 14,328.00
12,060	85035 --	EVIDENCE.COM STORAGE	\$1.50 / GB per year	USD 18,090.00	USD 6,030.00	USD 12,060.00
60	85035 --	EVIDENCE.COM STORAGE	\$1.50 / GB per year	USD 0.00	USD 0.00	USD 0.00
600	85035 --	EVIDENCE.COM STORAGE	\$1.50 / GB per year	USD 0.00	USD 0.00	USD 0.00
201	73074 --	BODY CAM 2 YEAR EXTENDED WARRANTY	199.95	USD 40,189.95	USD 40,189.95	USD 0.00
4	73033 --	AXON FLEX KIT 2 YEAR EXTENDED WARRANTY	299.95	USD 1,199.80	USD 1,199.80	USD 0.00

Year 1 -- Due Net 30 Total: USD 146,748.55

Year 1 -- Due Net 30 Net Price: USD 93,966.46

Subtotal	USD 93,966.46
Estimated Shipping Cost	USD 726.24
Estimated Tax	USD 5,281.76
Grand Total	USD 99,974.46

ESCONDIDO POLICE DEPARTMENT INSTRUCTION	DATE: 02-14-18	NO: 1.51 ADMINISTRATION
TO: ALL PERSONNEL	SUBJECT: USE OF RECORDING DEVICES	
ORIGIN: CHIEF OF POLICE	RETAIN: UNTIL FURTHER NOTICE	

This Department Instruction supersedes Department Instruction 1.51, dated **January 24, 2017**.

I. PURPOSE

This Instruction establishes policy and procedures for the use of portable digital recording devices and the storage of captured video, **photographs**, and audio.

II. GENERAL

Digital recording devices are valuable tools for law enforcement officers to capture audio, **photographs**, and video of their activities and to gather evidence during the performance of their law enforcement duties. The devices also provide an effective training and self-evaluation resource for individual officers and their supervisors. California Penal Code section 633 recognizes that a law enforcement officer, when acting within the scope of his/her authority, may record any communication that can be lawfully overheard.

III. DEFINITIONS

- A. Confidential Communication – any communication carried on in circumstances as may reasonably indicate that any party to the communication desires it to be confined to the parties thereto, but excludes a communication made in a public gathering or in any legislative, judicial, executive or administrative proceeding open to the public, or in any other circumstance in which the parties to the communication may reasonably expect that the communication may be overheard or recorded.
- B. Evidentiary data – a recording of an incident or encounter that could prove useful for investigative purposes, including, but not limited to, a crime, an arrest or citation, a search, a use of force, or a confrontational encounter with a member of the public.
- C. Digital Recording Device – any portable equipment designed or used to capture audio, **photographs**, or video in an electronic format such as body video cameras, audio recorders and smart phones.
- D. Non-evidentiary data – a recording that does not necessarily have value to aid in an investigation or prosecution, such as data of an incident or encounter that does not lead to an arrest or citation, or data of general activities the officer might perform while on duty.

- E. Uniformed Officers – All Department personnel in marked uniform attire including Sworn Officers, Reserve Officers, Community Service Officers, Custody Transport Officers, and plain clothes officers when wearing the load-bearing vest or other tactical equipment with police insignia who are issued Department digital recording devices.
- F. Video Administrator – A supervisor(s) designated by the Chief of Police to maintain digital recording equipment and digital video files, provide training to equipment users, and manage the retention, dissemination and deletion of digital recordings.

IV. POLICY

A. Training & Use

1. Only digital recording devices issued or approved by the Department shall be used. In exceptional circumstances, an officer may use a personal recording device in the course and scope of his/her duties, but any information recorded shall be retained following the same procedures provided for City-issued equipment.
2. Officers shall receive training in the use, care and maintenance of portable digital recording devices.
3. Officers should ensure that their issued digital recording devices are properly charged and that there is sufficient available memory at the beginning of their shift.
4. Digital video recording devices shall be worn in a manner that maximizes the recordable viewing area and shall be sufficiently anchored and/or tethered to prevent loss of the device.
5. Officers shall only use Department-issued digital recording devices in the course and scope of their authority as a law enforcement officer.
6. The current digital video recording system does not allow officers to delete any recorded data. Only designated video administrators may delete data, following guidelines established in this policy.
7. **Officers shall have discretion in notifying the public that their body-worn camera is activated.**

B. Recording Policy

1. Uniformed officers shall activate their issued digital recording device, prior to arriving on scene, when participating in the following scenarios:

- a. Responding to radio calls, except for routine property report calls.
 - b. Covering another City employee or law enforcement officer, including, but not limited to, CSOs and Parking Enforcement Officers during an enforcement contact.
 - c. Citizen contacts such as traffic stops, pedestrian stops, and field interviews.
 - d. During the execution of a search or arrest warrant, Fourth Amendment waiver search, and other contacts that may lead to an arrest.
 - e. Arrests or incidents where force is likely to be used.
 - f. During vehicle pursuits.
 - g. Suspect, victim and witness interviews on felony crimes.
 - h. Upon arrival at a collision scene, and while obtaining statements and evidence.
2. Exceptions to digital recording policy.
- a. Canine Unit and Tactical Operations Unit members will follow specific guidance, released in Department Order format, on their use of a digital recording device.
 - b. Plain clothes officers working undercover or on sensitive assignments are exempt from this policy.
3. Officers may stop their recording when the officer believes the event will not produce evidentiary data, or when a citizen requests to remain anonymous.
4. **Officers may only mute the audio on their body-worn camera when discussing tactical strategy, or when having a conversation about job performance with a supervisor or subordinate. The audio must be reactivated immediately after such conversation. Audio shall not be muted any time an officer is interacting with a member of the public.**
5. Officer safety remains paramount. Activation of any digital recording device shall not divert the officer's attention from the task at hand. There may be circumstances when events occur so quickly that an officer does not have time to properly activate the recording device.

C. Prohibitions

1. Officers shall not record any confidential communication between a person in custody and his/her attorney, a medical provider or a member of the clergy.
2. Officers shall not record any confidential communication between Department personnel without the prior knowledge and consent of all persons recorded. But this prohibition shall not limit a law enforcement officer's authority to record any communication otherwise allowed under state or federal law.
3. Officers shall not use Department-issued digital recording devices for personal use.
4. Officers shall not tamper with or dismantle any hardware or software component of any digital recording device.
5. Officers shall only save recorded data on Department-authorized computers. No recorded data may be saved to any public or personal website or onto any public or personal computer, disc or portable storage device, or reproduced or released in any format to the public or to the Media without express authorization from the Chief of Police or his designee. Officers shall not download or copy any digital recording files without submitting a request to the appropriate Division. Violation of these prohibitions can result in discipline, up to and including termination.
6. Officers shall not view videos taken by other Department personnel unless required for investigative purposes, including report writing or with a supervisor's express permission.
7. Supervisors may use digitally recorded data for training purposes with the approval of the Chief of Police or his designee.

V. PROCEDURES

A. Recorded Data

1. Evidentiary video shall be retained until the matter is resolved, but shall be retained for a minimum of two years, under the following circumstances:
 - a. The recording is of an incident involving an officer-involved shooting or the use of force.
 - b. The recording is of an incident that leads to the detention or arrest of an individual.

- c. The recording is relevant to a formal or informal complaint against a law enforcement officer or a law enforcement agency.
 - d. The recording is relevant to claims filed or pending litigation.
- 2. If video is relevant to a criminal prosecution, it shall be retained for the same time as all other evidence in the case, and shall be deleted only when it is no longer needed in the prosecution of the case and any subsequent hearings or appeals.
- 3. Video deemed to be non-evidentiary in nature shall be saved for a minimum of 60 days.
- 4. It is the responsibility of the officer who records video to categorize and electronically label files with the appropriate data:
 - a. Video files related to a case number shall be labeled with the eight-digit case number.
 - b. Video files associated with an incident number shall be labeled with the nine-digit incident number.
 - c. All other videos shall be entered into a miscellaneous or training category as appropriate.
 - d. All videos shall be entered into the appropriate category, as outlined in Department training.
- 5. **Records Division personnel shall be responsible for transmitting body-worn video footage to the District Attorney's office at the time an arrest case is sent, following established sharing procedures.**
- 6. **The Records Manager shall follow established public records request protocols when redacting and/or releasing body-worn video.**
- 7. All recordings, **including video, photographs and audio files** shall be saved to the Department's designated media storage system by the officer **who captured the data** prior to ending his/her shift.
 - a. Supervisors retain authority to take possession of any City-issued equipment as part of any investigation including a use of force or other serious incident. When exercising such authority, the supervisor shall save the recorded information into the Department's designated media storage system or transfer the custody of the recording device to an authorized Forensic or Evidence Technician.

- b. Forensic and Evidence Technicians have the same authority and responsibility as supervisors when acting in the regular performance of their duties and processing digital data.
 - c. In any case where a supervisor or Forensic/Evidence Technician takes possession of an officer's digital recording device as part of an investigation, the supervisor or Forensic/Evidence Technician shall return the digital recording device to the affected officer as soon as practical after saving any captured video into the Department's designated media storage system. Should the digital video recorder itself be considered evidence in a case and need to be impounded, the supervisor or evidence technician collecting the device shall make arrangements to provide the officer with a replacement unit as soon as reasonably practical.
- 6. All videos, **photos, and audio files** shall be saved using the approved Department format.
- B. Report Writing
 - 1. In instances where video is obtained and a written report or citation is generated, the officer will document in the report or on the back of the citation that video exists and the video was downloaded.
 - 2. Officers may review video from their device prior to submitting a written document on the incident or being interviewed, but the Chief of Police or his designee may restrict access that could compromise an investigation.

VI. ADMINISTRATION

- A. The Records Manager is designated as the Custodian of Records for all digital recording device data files.
- B. The Records Manager shall permanently retain records or logs of access and deletion of data from digital recording devices. It is the Video Administrator's responsibility to provide those records.
- C. Recordings made pursuant to this policy are Department records and may only be released in accordance with this policy or by law.
- D. A Video Administrator may delete any data files that contain information that is not ordinarily retained in the normal course of business, thus has no value to the Department, including but not limited to accidental recordings, video, **photos, and audio files** related to camera training or testing, and videos with no specific law enforcement related content.

- E. The Video Administrator shall conduct monthly audits to ensure officers are adhering to this policy.**
- F. Body-worn video footage will not be routinely viewed to identify compliance with other Department Instructions and policies. Footage may be utilized when investigating formal complaints or identified performance issues.**

ESCONDIDO POLICE DEPARTMENT

Body-Worn Digital Video Cameras



Taser Axon Body2

- ▣ 30 frames per second
- ▣ Up to 1080p (we shoot 480p)
- ▣ 30+ hours of record time
- ▣ 12-hour battery life (lasts a full shift)
- ▣ 140-degree field of view
- ▣ Video buffering (30-second loop)
- ▣ Ability to “mark” video and mute audio
- ▣ GPS tagging (via smartphone)
- ▣ Links via Bluetooth and WiFi to smart devices for video tagging and viewing



Axon Flex / Flex 2



Camera module provides "First-Person View" when worn on helmet or glasses.
* Option for bike team and motors (Future option for patrol?)

So, how does this camera work?



AXON Body2 operation



Indicator
light

Data port

Start/Stop Recording

On/Off



Lens

Battery
check

Front View



"Function" button for
marking& muting audio

Side View

AXON Body operation

- Turn on camera at start of shift (red tab showing on power switch) and leave on.
- Slow blinking **green** light = buffering (30-second loop)
- Double tap activation button = begin recording, indicated by fast blinking **red** light. (Optional audible double beep)
- Tap function button to put “marker” on video timeline.
- Press and hold function button to mute audio (blinking blue light.)
- 3-second hold activation button = end recording. (Optional long beep)
- Tag videos via “smart” device during shift, or at end of shift using Evidence Sync on computer
- Upload videos using ETM or Evidence Sync
- View videos at escondidopd.evidence.com as needed for report writing

OK, so how do I tag a video?



AXON Mobile app

- ▣ Links via Bluetooth & WiFi to the camera
- ▣ Ability to tag videos throughout the day
- ▣ Adds “geotag” to the video. (at location where tag is added, via phone’s GPS signal, NOT the camera)
- ▣ NO data stored on phone/smart device.
Merely a way of adding metadata to video on camera.
- ▣ Ability to view videos in the field

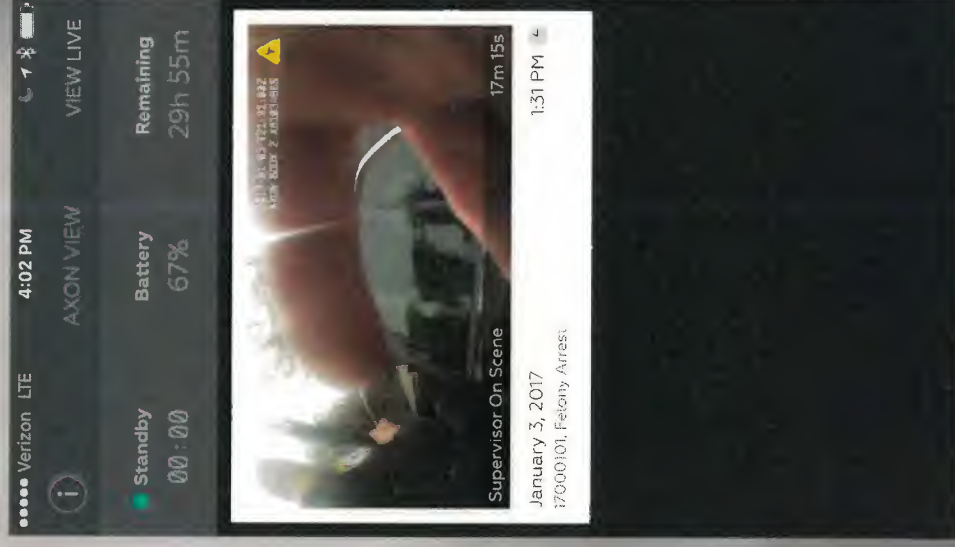
AXON View app

Tag videos

View videos

Check battery status

Change beep-volume levels



Tagging videos

this is IMPORTANT STUFF

- ▣ ID = Case number, incident number, cite number
- ▣ Case number format: 17001234 (EIGHT digits!)
- ▣ Incident number format: EP170012345 (“EP” and NINE digits!)
- ▣ Citation number format: E123456
- ▣ Miscellaneous contact/chaffe title: As appropriate to remind yourself of contact
- ▣ Label all experimental videos “Test” and select Miscellaneous Contact/Chaffe category
- ▣ Training category only for true Training videos.
Ex: Range staff, Taser downloads, FTOs, etc.

Tagging videos (continued)

- ▣ You CAN select more than one category for a video.
- ▣ You CAN put a case number and citation number in one ID field. Ex: "15009040 & E123456"
- ▣ You CAN put more than one citation number in an ID field: Ex: "E123456 & E654321"
- ▣ *** Case Numbers and Citation Numbers take precedence over Incident Numbers! ***

Tagging videos (continued)

- ▣ Titles: A brief **description of your role** on the call or what your **video depicts**. This is vital to assist the viewer (DA's office) in sorting through the many videos associated with a single case number.

Recorded and tagged! Now what?



(Any likeness to Officer Sinnott is purely intentional)

ETM (Evidence Transfer Management) upload stations

- ▣ Automatically uploads video to evidence.com
- ▣ Automatically charges camera
- ▣ Located in the closet at the west end of the Officer Report Writing room, and on report room tables.

